

FILED  
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UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS - BOSTON  
2014 JAN 21 P 3:31  
NO. 13-13123  
DISTRICT OF MASS.

MANSON BROWN  
V.  
PEPE, CINELLI

Prisoner Civil right Act  
42 U.S.C. §§ 1983, 1985  
C.A.#13-13123-RGS

AMENDED COMPLAINT

Parties, Jurisdiction

1. Plaintiff: Manson Brown / M.C.I. Shirley (Medium) Harvard Rd.  
P.O. Box 1218 Shirley, Ma. 01464
2. Defendant: Joseph Pepe / Department Of Correction- Fugitive  
Apprehension Unit, 50 Maple Street - Suite 3, Milford, Ma. 01757
3. Defendant: Curtis Cinelli / Mass State Police- Fugitive Appre-  
hension Section, 450 Worcester Rd. Framingham, Ma. 01702

JURISDICTION

4. All parties are citizens of the United States and reside in the  
state of Massachusetts. therefore this court has jurisdiction  
over the matter pursuant to 28 U.S.C. §§ 1331, 1343.

### Preliminary Statement

5. On November 27th of 2009, the plaintiff walk away (escaped) from a minimum facility in Massachusetts, and was captured in Decature Ga. on January 5th of 2010.

### Previous Claim

6. The plaintiff has filed a previous lawsuit dealing with some of the same facts presented to you now.

It was a section 1983 claim

The parties were ( Lt. Pepe, Trp. Cinelli and Sheriff Brown)  
the complaint was filed in the U.S. District Court-Boston

The case number is (C.A.#12-11687-JLT)

The justice who presided over the matter was (Joseph L. Tauro)

The case was dismissed without prejudice (for failure to exhaust all administrative remedies and improper venue)

The complaint was filed on (September 9th of 2012)

The case was closed on (July 17th of 2013)

7. The plaintiff has exhausted all administrative remedies available at M.C.I. Shirley (Medium) and was denied the opportunity to seek justice for the wrong that was committed against him. plaintiff also filed a motion for a change of venue with the state of Georgia and that motion was granted.

### Statement of Claim

8. On January 12th of 2010, Lt. Pepe and Trp. Cinelli came to the Dekalb County Jail in Georgia, to bring the plaintiff Brown back to Massachusetts (D.O.C.).

8. The plaintiff states the during the course of that extradition transfer, the defendants violated his 4th amendment privacy right. Acting under the color of state law, the defendants conducted a "seizure" (while parading the plaintiff infront of the media's camera). unlawfully intruding upon the plaintiff privacy interests and personal rights. the whole event was conducted and carried out in a malicious manner that cause the plaintiff intense discomfort, humiliation and emotional distress.
9. The defendants intentionally expose the plaintiff for the purpose of the press. which violated the plaintiff 4th, 8th and 14th amendment right to due process of the U.S. constitution. therefore the plaintiff is seeking relief in the alternative of compensatory and punitive damages.
10. This does not impose a probability requirement at the pleading stage, but, instead simply calls for enough facts to raise a reasonable expectation that discovery will reveal evidence of necessary elements (citing Twombly 550 U.S. at 556)

#### Statement of facts

11. On January 12th of 2010, Lt. Pepe and Trp. Cinelli came to the Dekalb County Jail in Georgia, to bring the plaintiff Brown Back to Massachusetts (D.O.C.). the plaintiff was search and secured in hand and legg restraints. but before exiting the building he was taking to another section of the building were several of the sheriff"s deputies were stationed.

at that time, Trp. Cinelli pulled out his personal cell-phone and had a picture taking of himself with the plaintiff while still in restraints like he was a "prize catch".

12. On the way out the building, but not by way of sally-port, in which the plaintiff was brought into the facility, but rather through the front door of the main lobby. where the plaintiff notice the camera and covered his head with the hood from the sweatshirt that he was wearing. and at that time, Trp. Cinelli reach over and intentionally and maliciously snatch the hood off the plaintiff head. the plaintiff felt that he was being set-up and out of anger and frustration said, "you ain't gonna get your shine off me". as he duck to shield himself from the camera.

13. Both Trp. Cinelli and Lt. Pepe tried to lift the plaintiff up forcing him to face the camera. Lt. Pepe a veteran officer and employee of the D.O.C. was in a position to intervien, but instead decided to participate in the violation of the plaintifff 4th amendment privacy rights.

#### NUMEROUS VIOLATION

14. The use of the cell-phone camera for personal gory: A invasion on the plaintiff rights to privacy. with nothing to do with Trp. Cinelli job or any legitimate law enforcement purpose, just an abuse of power.

15. Trp. Cinelli snatching the hood off the plaintiff head: an intentional and malicious act to expose the plaintiff for the purpose of the press. a clear cut violation of the plaintiff 4th amendment rights to privacy.
16. Exposing the plaintiff while he still had legal issues pending: Deprived the plaintiff his right to due process is a 14th amendment violation.

#### CONCLUSION

It was obvious to the plaintiff that he was being set-up and expose for the purpose of the press. the plaintiff is not saying that Trp. Cinelli and Lt. Pepe were the ones who called and staged the event, but evidence shows that they knew and participated in it. (anyone who has knowledge of a conspiracy and having the power to prevent or aid in preventing any wrong doing is liable of injuries.) The plaintiff was violated intentionally for the purpose of the press. therefore he suing both defendants in thier individual capacity for the violation of his 4th amendment rights to privacy.

prayers of relief

Wherefore: plaintiff respectfully seeks that this court  
awards plaintiff the following relief.

1. Compensatory and punitive damages in the amount of fifty thousand dollars (\$50,000.00) from each defendant, a total amount of one hundred thousand dollars (\$100,000.00)
2. Reasonable cost and fees included, but not limited to attorney fees and postage.
3. Any and all other relief the court may deem just.
4. Plaintiff also demands a trial by jury.

Dated: 1/ 15/14/

Respectfully Submitted

Manson Brown Pro' Se

Manson Brown Pro' Se Plaintiff  
M.C.I. Shirley  
P.O. Box 1218  
Shirley, Ma. 01464